

**JOURNAL OF THE HOUSE****Sixty-fifth Legislative Assembly**

\* \* \* \* \*

**Bismarck, March 17, 2017**

The House convened at 12:30 p.m., with Speaker Bellew presiding.

The prayer was offered by Rev. Bob Copenhagen, Healing Rooms Ministries, Bismarck.

The roll was called and all members were present except Representatives Howe and Kempenich.

A quorum was declared by the Speaker.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 16, 2017, I have signed the following: HB 1226.

**POINT OF PERSONAL PRIVILEGE**

**REP. MONSON** rose on a point of personal privilege.

**REMARKS OF REPRESENTATIVE MONSON**

**MR. SPEAKER:** Today, March 17, is St. Patrick's Day, celebrated around the world by the Irish and those who wish they were. Now what do we need to celebrate St. Patrick's Day properly? Beer, of course. What do we need to make beer? Barley. Malting barley specifically. Today is a somewhat rare event. It just so happens that today, March 17, is not only St. Patrick's Day, but it is the day we celebrate barley in ND, the key ingredient needed to make St. Patrick's Day celebrations as lively and cheerful as possible. All of you know it is St. Patrick's Day, but most of you probably don't know about the barley festival going on as we speak here in ND. Today is the 72nd annual ND State Barley Show going on in the Barley Capitol of ND, my home town of Osnabrock. Now as far as I know there are only 2 cities in the world named Osnabrock. One in Germany known for a parade where little kids in pointy hats ride stick horses throughout the city, and Osnabrock, ND, known for something much more important; barley that is needed to make celebrations of great importance better. So today as you toast one another for St. Patrick's Day, I ask you to also toast barley and the Barley Capitol of ND, Osnabrock. I also encourage you to google the ND State Barley Show and find out more about the very important commodity, barley. 150 million bushels of barley are used annually for food, industrial, and alcohol production, much being consumed today to make the Irish, and those who wish they were, Happy.

**REQUEST**

**REP. VIGESAA REQUESTED** that the remarks of Rep. Monson be printed in the Journal, which request was granted on a voice vote.

**MOTION**

**REP. VIGESAA MOVED** that Engrossed SB 2183, as amended, which is on the Fourteenth order, be rereferred to the **Government and Veterans Affairs Committee**, which motion prevailed. Pursuant to Rep. Vigesaa's motion, Engrossed SB 2183, as amended, was rereferred.

**MOTION**

**REP. VIGESAA MOVED** that SB 2330 be returned to the House floor from the **Appropriations Committee** and be rereferred to the **Finance and Taxation Committee**, which motion prevailed on a voice vote.

Pursuant to Rep. Vigesaa's motion, SB 2330 was rereferred.

**SIXTH ORDER OF BUSINESS**

**SPEAKER BELLEW DEEMED** approval of the amendments to SB 2161.

SB 2161, as amended, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**SECOND READING OF SENATE BILL**

**SB 2142:** A BILL for an Act to amend and reenact section 48-01.2-22 of the North Dakota Century Code, relating to construction manager at-risk subcontractor bids.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Nelson, M.; Owens

**ABSENT AND NOT VOTING:** Howe

Engrossed SB 2142 passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2200:** A BILL for an Act to amend and reenact section 57-15-06.6, subsection 8 of section 57-15-10, and section 57-15-38 of the North Dakota Century Code, relating to capital project levies; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Boe; Carlson; Guggisberg; Nelson, M.

**ABSENT AND NOT VOTING:** Howe

SB 2200, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2168:** A BILL for an Act to amend and reenact section 48-01.2-01 of the North Dakota Century Code, relating to public improvements.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Howe

Engrossed SB 2168, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2181:** A BILL for an Act to amend and reenact section 53-06.1-10.1 of the North Dakota Century Code, relating to conducting a raffle using a random number generator.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Hanson; Hatlestad; Headland; Heinert; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Delzer; Guggisberg; Hogan; Nelson, J.; Ruby, D.; Speaker Bellew

**ABSENT AND NOT VOTING:** Howe

SB 2181, as amended, passed.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2240:** A BILL for an Act to create and enact a new section to chapter 43-53 of the North Dakota Century Code, relating to temporary emergency suspension of marriage and family therapists; and to amend and reenact section 43-53-03 of the North Dakota Century Code, relating to exceptions from licensure for marriage and family therapists.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 93 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Howe

SB 2240 passed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2251:** A BILL for an Act to create and enact two new sections to chapter 50-25.1 of the North Dakota Century Code, relating to substance exposed newborns; and to amend and reenact sections 50-25.1-02, 50-25.1-05, 50-25.1-06.1, and 50-25.1-09 of the North Dakota Century Code, relating to substance exposed newborns.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 9 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Brandenburg; Carlson; Damschen; Delmore; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke

**NAYS:** Delzer; Heinert; Koppelman, B.; Koppelman, K.; Meier; Paur; Schatz; Simons; Speaker Bellew

**ABSENT AND NOT VOTING:** Howe

SB 2251 passed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2320:** A BILL for an Act to create and enact a new subsection to section 19-03.4-02 and a new section to chapter 23-01 of the North Dakota Century Code, relating to drug paraphernalia guidelines and a syringe exchange program; and to declare an emergency.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 58 YEAS, 35 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brandenburg; Damschen; Delmore; Devlin; Dobervich; Dockter; Guggisberg; Hanson; Hatlestad; Heinert; Hogan; Holman; Johnson, C.;

Johnson, D.; Johnson, M.; Keiser; Kiefert; Klemin; Kreidt; Maragos; Martinson; McWilliams; Meier; Mitskog; Mock; Nathe; Nelson, J.; Nelson, M.; O'Brien; Olson; Porter; Pyle; Roers Jones; Rohr; Sanford; Satrom; Schmidt; Schneider; Schreiber-Beck; Seibel; Skroch; Streyle; Sukut; Toman; Vetter; Weisz; Westlind; Zubke

**NAYS:** Becker, Rick C.; Brabandt; Carlson; Delzer; Ertelt; Grueneich; Headland; Johnston; Jones; Kading; Karls; Kasper; Kempenich; Koppelman, B.; Koppelman, K.; Laning; Lefor; Longmuir; Louser; Magrum; Marschall; Monson; Oliver; Owens; Paur; Pollert; Ruby, D.; Ruby, M.; Schatz; Schobinger; Simons; Steiner; Trottier; Vigasaa; Speaker Bellew

**ABSENT AND NOT VOTING:** Howe

Engrossed SB 2320 passed but the emergency clause failed.

\*\*\*\*\*

#### MOTION

**REP. VIGESAA MOVED** that SB 2295, as amended, which is on the Fourteenth order, be rereferred to the **Education Committee**, which motion prevailed. Pursuant to Rep. Vigasaa's motion, SB 2295, as amended, was rereferred.

#### SECOND READING OF SENATE BILL

**SB 2176:** A BILL for an Act to amend and reenact subdivision e of subsection 1 of section 39-08-01, subsection 7 of section 39-08-01, subsection 3 of section 39-08-01.2, subdivision a of subsection 3 of section 39-20-01, sections 39-20-03.1 and 39-20-03.2, subsection 2 of section 39-20-05, and subsection 3 of section 39-20-14 of the North Dakota Century Code, relating to driving under the influence; to repeal section 39-20-03 of the North Dakota Century Code, relating to driving under the influence; and to provide a penalty.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigasaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Becker, Rick C.; Johnson, M.; Rohr

**ABSENT AND NOT VOTING:** Brandenburg; Howe

Engrossed SB 2176, as amended, passed.

\*\*\*\*\*

#### SECOND READING OF SENATE BILL

**SB 2290:** A BILL for an Act to amend and reenact section 54-12-33 of the North Dakota Century Code, relating to the authority of the human trafficking commission.

#### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Becker, Rick C.; Schatz; Simons

**ABSENT AND NOT VOTING:** Brandenburg; Howe

SB 2290, as amended, passed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2216:** A BILL for an Act to amend and reenact subsection 1 of section 12.1-17-11 of the North Dakota Century Code, relating to contact by bodily fluids or excrement; and to provide a penalty.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Becker, Rick C.; Johnson, M.; Simons

**ABSENT AND NOT VOTING:** Brandenburg; Howe

Engrossed SB 2216, as amended, passed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2098:** A BILL for an Act to create and enact a new subsection to section 27-20-51 of the North Dakota Century Code, relating to the disclosure of juvenile court records.

### ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser;

Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Brandenburg; Howe

Engrossed SB 2098, as amended, passed.

\*\*\*\*\*

### SECOND READING OF SENATE BILL

**SB 2132:** A BILL for an Act to amend and reenact section 40-18-15.1 of the North Dakota Century Code, relating to transfer to district court.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Simons; Skroch; Steiner; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Brandenburg; Howe

SB 2132 passed.

\*\*\*\*\*

### SECOND READING OF SENATE CONCURRENT RESOLUTION

**SCR 4012:** A concurrent resolution requesting the Legislative Management to consider studying the homestead tax credit thresholds for individuals who are permanently and totally disabled.

### ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS. The roll was called and there were 19 YEAS, 73 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, P.; Beadle; Boschee; Delmore; Dobervich; Dockter; Guggisberg; Hanson; Hogan; Holman; Johnson, M.; Kasper; McWilliams; Mock; Nelson, J.; Nelson, M.; O'Brien; Seibel; Steiner

**NAYS:** Anderson, B.; Anderson, D.; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Brabandt; Carlson; Damschen; Delzer; Devlin; Ertelt; Grueneich; Hatlestad; Headland; Heinert; Johnson, C.; Johnson, D.; Johnston; Jones; Kading; Karls; Keiser; Kempenich; Kiefert; Klemm; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Magrum; Maragos; Marschall; Martinson; Meier; Mitskog; Monson; Nathe; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Simons; Skroch; Streyle; Sukut; Toman; Trottier; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**ABSENT AND NOT VOTING:** Brandenburg; Howe

SCR 4012 was declared lost on a recorded roll call vote.

\*\*\*\*\*

**SECOND READING OF SENATE BILL**

**SB 2303:** A BILL for an Act to amend and reenact subsections 2 and 7 of section 12.1-32-15 of the North Dakota Century Code, relating to registration requirements for sexual offenders; and to provide a contingent effective date.

**ROLL CALL**

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 89 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Anderson, B.; Anderson, D.; Anderson, P.; Beadle; Becker, Rich S.; Becker, Rick C.; Blum; Boe; Boehning; Bosch; Boschee; Brabandt; Carlson; Damschen; Delmore; Delzer; Devlin; Dobervich; Dockter; Ertelt; Grueneich; Guggisberg; Hanson; Hatlestad; Headland; Heinert; Hogan; Holman; Johnson, C.; Johnson, D.; Johnson, M.; Johnston; Jones; Kading; Karls; Kasper; Keiser; Kempenich; Kiefert; Klemin; Koppelman, B.; Koppelman, K.; Kreidt; Laning; Lefor; Longmuir; Louser; Maragos; Marschall; Martinson; McWilliams; Meier; Mitskog; Mock; Monson; Nathe; Nelson, J.; Nelson, M.; O'Brien; Oliver; Olson; Owens; Paur; Pollert; Porter; Pyle; Roers Jones; Rohr; Ruby, D.; Sanford; Satrom; Schatz; Schmidt; Schneider; Schobinger; Schreiber-Beck; Seibel; Skroch; Steiner; Streyle; Sukut; Toman; Trotter; Vetter; Vigesaa; Weisz; Westlind; Zubke; Speaker Bellew

**NAYS:** Magrum; Ruby, M.; Simons

**ABSENT AND NOT VOTING:** Brandenburg; Howe

SB 2303, as amended, passed.

\*\*\*\*\*

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, and your favorable consideration is requested on: HCR 3024.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, unchanged: SB 2304, SB 2333.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2175.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has amended and subsequently passed: SB 2152, SB 2278, SB 2308.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has amended, subsequently passed, and the emergency clause carried: SB 2125.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1214, HB 1289, HB 1373.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has amended and subsequently passed: HB 1134, HB 1195, HB 1323.

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1134**

Page 1, line 7, after the comma insert "applying and removing restrictions on individuals with developmental disabilities,"

Page 4, line 22, after "4." insert "A restriction of the rights of an individual with a developmental disability which is imposed by a public or private agency or organization that provides services to the individual must be reviewed at least annually as part of the individual's individualized habilitation, person-centered service, or individual education plan team meeting.

5. Unless a restriction applies universally, the restricting agency or organization shall remove the restriction placed on an individual with a developmental disability at the earliest point at which the individual demonstrates the ability to mitigate the need for the restriction.

6."

Page 4, line 28, replace "5." with "7."

Page 6, line 22, after "physician" insert ", physician assistant, or advanced practice registered nurse"

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1195**

Page 1, line 2, after the semicolon insert "to amend and reenact subsection 4 of section 12.1-20-03, relating to gross sexual imposition;"

Page 1, after line 3, insert:

**"SECTION 1. AMENDMENT.** Subsection 4 of section 12.1-20-03 of the North Dakota Century Code is amended and reenacted as follows:

4. If, as a result of injuries sustained during the course of an offense under this section, the victim dies, the offense is a class AA felony, for which the maximum penalty of life imprisonment without parole must be imposed unless the defendant was a juvenile at the time of the offense."

Renumber accordingly

**SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1323**

Page 2, line 15, after "physician" insert ", physician assistant."

Page 2, line 18, after "physician" insert ", physician assistant."

Renumber accordingly

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1162, HB 1308.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1036, HB 1215, HB 1315, HB 1325, HCR 3002.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2044, SB 2124, SB 2148, SB 2157, SB 2165, SB 2171, SB 2172, SB 2178, SB 2205, SB 2238, SCR 4008.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The President has signed: HB 1036, HB 1215, HB 1315, HB 1325, HCR 3002.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed: HB 1171, HB 1192, HB 1211, HB 1380, HB 1385, HB 1409, HCR 3015, HCR 3034.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed: SB 2044, SB 2124, SB 2148, SB 2157, SB 2165, SB 2171, SB 2172, SB 2178, SB 2205, SB 2238, SCR 4008.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The President has signed: SB 2044, SB 2124, SB 2148, SB 2157, SB 2165, SB 2171, SB 2172, SB 2178, SB 2205, SB 2238, SCR 4008.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 17, 2017: HB 1035, HB 1048, HB 1049, HB 1139, HB 1147, HB 1196, HB 1228, HB 1296, HB 1302, HB 1314, HB 1356, HB 1358.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolutions were delivered to the Secretary of State for filing on March 17, 2017: HCR 3015, HCR 3034.

**MOTION**

**REP. VIGESAA MOVED** that the absent members be excused, which motion prevailed on a voice vote.

**MOTION**

**REP. VIGESAA MOVED** that the House be on the Fourth, Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 20, 2017, which motion prevailed on a voice vote.

**REPORT OF STANDING COMMITTEE**

**SB 2046: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)** recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2046 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2123, as engrossed: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2123 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on page 945 of the House Journal, Engrossed Senate Bill No. 2123 is amended as follows:

Page 3, line 6, remove "use vision information provided by"

Page 3, line 7, replace "the applicant to meet" with "waive"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2144: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2144 was placed on the Sixth order on the calendar.

Page 2, line 21, replace "\$1,500,000" with "\$785,000"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2146: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2146 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2147: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2147 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2204: Transportation Committee (Rep. D. Ruby, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2204 was placed on the Sixth order on the calendar.

Page 1, line 3, remove the second "and"

Page 1, line 4, after "appropriation" insert "; and to provide for a report"

Page 2, line 7, replace "of one hundred dollars which" with "in an amount equal to the fine imposed. The surcharge"

Page 2, line 10, replace "of forty dollars which" with "in an amount equal to the fine imposed. The surcharge"

Page 2, after line 13, insert:

**"SECTION 3. INFORMATION TECHNOLOGY COMMITTEE - REPORT.**

Before September 1, 2018, the statewide interoperability executive committee shall provide to the information technology committee a report regarding the implementation plan for a statewide interoperable radio network. The statewide interoperability executive committee shall engage appropriate stakeholders and include in the report any realized fiscal efficiencies as well as any reasonably foreseeable potential opportunities for additional fiscal efficiencies that could be achieved while not sacrificing the core requirements of the statewide interoperable radio network. An amount, not to exceed fifty thousand dollars, from the statewide interoperability radio network fund, is available to the chief information officer of the information technology department to fulfill these reporting requirements for the biennium beginning July 1, 2017, and ending June 30, 2019."

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2223, as engrossed: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2223 was placed on the Sixth order on the calendar.

Page 1, line 1, after "10-32.1-30.1" insert "and a new subsection to section 10-32.1-39 of the North Dakota Century Code, relating to limited liability company distributions and management and partnership transferable interests"

Page 1, line 1, after the semicolon insert "and"

Page 1, line 2, remove "subsection 1 of"

Page 1, line 2, after the third comma insert "and"

Page 1, remove lines 17 through 24

Page 2, replace lines 1 and 2 with:

**"SECTION 2. AMENDMENT.** Section 10-32.1-30 of the North Dakota Century Code is amended and reenacted as follows:

**10-32.1-30. Sharing of and right to distributions before dissolution.**

1. ~~Subject~~ Except as provided in subsection 5 and subject to paragraphs 1 through 4 of subdivision c of subsection 4 of section 10-32.1-05, any

- distributions made by a limited liability company before its dissolution and winding up must be in equal shares among members and dissociated members, except to the extent necessary to comply with any transfer effective under section 10-32.1-44 and any charging order in effect under section 10-32.1-45.
2. A person has a right to a distribution before the dissolution and winding up of a limited liability company only if the company decides to make an interim distribution. The dissociation of a person does not entitle the person to a distribution.
  3. A person does not have a right to demand or receive a distribution from a limited liability company in any form other than money. Except as otherwise provided in ~~subsection 3 of~~ section 10-32.1-54, a limited liability company may distribute an asset in kind if each part of the asset is fungible with each other part and each person receives a percentage of the asset equal in value to the share of distributions of the person.
  4. If a member or transferee becomes entitled to receive a distribution, then the member or transferee has the status of, and is entitled to all remedies available to, a creditor of the limited liability company with respect to the distribution.
  5. Notwithstanding subsection 1, subject to paragraphs 1 through 4 of subdivision c of subsection 4 of section 10-32.1-05 and unless otherwise provided in the articles of organization or in an operating agreement, for a limited liability company created after July 31, 2017, any distributions among members and dissociated members made by a limited liability company before its dissolution and winding up must be in proportion to the value of the contributions of the members, except to the extent necessary to comply with any transfer effective under section 10-32.1-44 and any charging order in effect under section 10-32.1-45.

Page 2, line 7, after "company" insert "created after July 31, 2017."

Page 2, line 12, overstrike "In" and insert immediately thereafter "Except as provided in section 5 of this Act, in"

Page 2, line 14, remove the overstrike over "~~Each member has equal rights in the management and conduct of the activities~~"

Page 2, line 15, remove the overstrike over "~~of the company~~"

Page 2, line 15, remove "Unless otherwise provided in the articles of organization or in an"

Page 2, remove lines 16 through 18

Page 2, line 19, remove "winding up"

Page 2, line 21, remove "voting power of the"

Page 2, line 22, remove "transferable interest of the"

Page 2, after line 25, insert:

**"SECTION 5.** A new subsection to section 10-32.1-39 of the North Dakota Century Code is created and enacted as follows:

Notwithstanding subsection 1, in a member-managed limited liability company created after July 31, 2017, the following rules apply:

- a. The management and conduct of the company are vested in the members.

- b. Unless otherwise provided in the articles of organization or in an operating agreement, each member possesses voting power in the management and conduct of the activities of the company in proportion to the interest of the member in distributions of the limited liability company before dissolution and winding up.
- c. A difference arising among members as to a matter in the ordinary course of the activities of the company may be decided by a majority of the voting power of the transferable interest of the members.
- d. An act outside the ordinary course of the activities of the company may be undertaken only with the consent of all members.
- e. The operating agreement may be amended only with the consent of all members."

Page 4, line 14, overstrike "In" and insert immediately thereafter "Except as provided in subsection 5, in"

Page 4, line 14, overstrike "must" and insert immediately thereafter "shall"

Page 4, line 18, remove "and unless otherwise provided in the articles of organization or an"

Page 4, line 19, remove "operating agreement"

Page 4, line 23, remove the overstrike over "equal shares among"

Page 4, line 23, remove "proportion to the value of the contributions of"

Page 5, line 1, remove "unless"

Page 5, remove line 2

Page 5, line 3, remove "unanimous consent of the voting members"

Page 5, after line 3, insert:

- "5. a. Notwithstanding subsections 1 through 4, in winding up its activities a limited liability company created after July 31, 2017, shall apply its assets to discharge its obligations to creditors, including members that are creditors.
- b. After a limited liability company complies with subdivision a, any surplus must be distributed in the following order, subject to any charging order in effect under section 10-32.1-45 and unless otherwise provided in the articles of organization or an operating agreement:
- (1) To each person owning a transferable interest that reflects contributions made by a member and not previously returned, an amount equal to the value of the unreturned contributions; and
  - (2) In proportion to the value of the contributions of members and dissociated members, except to the extent necessary to comply with any transfer effective under section 10-32.1-44.
- c. If a limited liability company does not have sufficient surplus to comply with paragraph 1 of subdivision b, any surplus must be distributed among the owners of transferable interests in proportion to the value of their respective unreturned contributions.
- d. All distributions made under subdivisions a and b must be paid in money unless otherwise provided in the articles of organization in an

operating agreement, or by the unanimous consent of the voting members."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2235: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **DO NOT PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2235 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2250, as engrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (13 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2250 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 15.1-37-01, 15.1-37-05,"

Page 1, line 1, after "15.1-37-06" insert ", and 15.1-37-08"

Page 1, line 2, after "programs" insert ", providers, grants, and data collection"

Page 1, after line 4, insert:

**"SECTION 1. AMENDMENT.** Section 15.1-37-01 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-37-01. Early childhood education program - Approval.**

1. Any person or school district operating an early childhood education program may request approval of the program from the superintendent of public instruction. The superintendent shall approve an early childhood education program if the program:
  - a. Is taught by individuals who are licensed to teach in early childhood education by the education standards and practices board or approved to teach in early childhood education by the education standards and practices board;
  - b. Follows educational standards approved by the superintendent of public instruction;
  - c. Is in compliance with all municipal and state health, fire, and safety requirements; and
  - d. Limits its enrollment to children who have reached the age of ~~four~~three before August first in the year of enrollment.
2. In determining the state aid payments to which a school district is entitled, the superintendent of public instruction may not count any student enrolled in a regular early childhood education program.

**SECTION 2. AMENDMENT.** Section 15.1-37-05 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-37-05. Early childhood education providers - Coalition - Eligibility.**

1. The superintendent of a school district shall invite all public and private providers of early childhood education services within the district to meet, in order to:
  - a. Initiate the identification of all available options for cost-effectively maximizing the provision of early childhood education services within the district;

- b. Address the coordinated utilization of facilities, personnel, and transportation, for the provision of early childhood education services within the district; and
- c. (1) Form a coalition of early childhood education service providers; and
  - (2) Provide for the selection of a coalition governing board.
- 2. The board of the school district in which the coalition of service providers is located shall provide advice and guidance to the coalition in all matters pertaining to this section through section 15.1-37-08.
- 3. Any early childhood service provider who agrees to participate in the coalition or on its governing board may submit an application to the ~~department~~superintendent of ~~commerce~~public instruction for a grant under this section, provided the governing board certifies to the ~~department~~superintendent the provider:
  - a. Is a participating member in the coalition or on the governing board.
  - b. Operates an early childhood education program that:
    - (1) Is approved in accordance with section 15.1-37-01; and
    - (2) Incorporates within its curriculum at least ten hours of research-based parental involvement.
  - c. Has documented the provider's willingness to admit children of all learning abilities into the early childhood education program."

Page 1, line 7, overstrike "department" and insert immediately thereafter "superintendent"

Page 1, line 7, overstrike "commerce" and insert immediately thereafter "public instruction"

Page 1, line 16, overstrike "and"

Page 1, line 17, after "(2)" insert "The child has reached the age of four before August first in the year of enrollment; and

(3)"

Page 1, line 22, overstrike "department" and insert immediately thereafter "superintendent"

Page 1, line 22, overstrike "commerce" and insert immediately thereafter "public instruction"

Page 2, line 2, overstrike "department" and insert immediately thereafter "superintendent"

Page 2, line 2, overstrike "commerce" and insert immediately thereafter "public instruction"

Page 2, line 5, overstrike "department" and insert immediately thereafter "superintendent"

Page 2, line 5, overstrike "commerce" and insert immediately thereafter "public instruction"

Page 2, line 7, overstrike "department" and insert immediately thereafter "superintendent"

Page 2, line 7, overstrike "commerce" and insert immediately thereafter "public instruction"

Page 2, after line 9, insert:

**"SECTION 4. AMENDMENT.** Section 15.1-37-08 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-37-08. Data collection - Requirements.**

The superintendent of public instruction, ~~with the advice and consent of the department of commerce,~~ shall implement a uniform system for the accounting, budgeting, and reporting of data by any early childhood education provider to whom or to which grants are distributed in accordance with section 15.1-37-06. Grants may be withheld or forfeited, in whole or in part, if information required in accordance with this section is not submitted at the time or in the manner requested by the superintendent."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2270: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2270 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "61-24.8-13,"

Page 2, remove lines 23 through 31

Page 3, remove lines 1 through 29

Page 4, line 2, replace "or" with "and"

Page 4, line 21, remove "No publication is required if"

Page 4, remove line 22

Page 4, line 23, remove "to each affected landowner."

Page 5, line 22, replace "or" with "and"

Page 5, line 29, after "assessments" insert "and publishes notice that the hearing is unnecessary due to the receipt of written consent in the official county newspaper of each county in which the benefited lands are located and in local newspapers of general circulation in the area of the affected lands"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2272, as reengrossed: Education Committee (Rep. Owens, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). Reengrossed SB 2272 was placed on the Sixth order on the calendar.

Page 4, line 30, after "The" insert "minimum loan amount is two hundred fifty thousand dollars and the"

Page 9, line 12, after "cost" insert "up to a maximum loan amount of eight million dollars"

Page 13, line 17, after "loans" insert "and cash"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2280, as engrossed: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2280 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2296: Political Subdivisions Committee (Rep. Klemin, Chairman)** recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2296 was placed on

the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**SB 2313, as engrossed: Energy and Natural Resources Committee (Rep. Porter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2313 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "17-04-03,"

Page 1, line 3, remove the second comma

Page 1, line 4, remove "the creation and duration of wind energy easements,"

Page 1, line 5, remove the comma

Page 1, line 6, after the semicolon insert "to provide a statement of legislative intent;"

Page 1, remove lines 22 and 23

Page 2, remove lines 1 through 12

Page 3, line 12, remove "any"

Page 3, line 13, remove "quarter section of property containing"

Page 3, line 13, replace "occupied" with "inhabited rural"

Page 3, line 21, after the underscored period insert "A local zoning authority may require setback distances greater than those required under this subsection. For purposes of this subsection, "height of the turbine" means the distance from the base of the wind turbine to the turbine blade tip when it is in its highest position."

**SECTION 4. LEGISLATIVE INTENT - WIND ENERGY RESTORATION AND RECLAMATION OVERSIGHT PROGRAM.** It is the intent of the sixty-fifth legislative assembly that the agriculture commissioner establish the wind property restoration and reclamation oversight program, created in section 1 of this Act, using existing operating funds."

Page 3, line 22, replace "4" with "3"

Renumber accordingly

The House stood adjourned pursuant to Representative Vigesaa's motion.

**Buell J. Reich, Chief Clerk**

